

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Mikio TOTANI

Serial No.: 09/857,207

ATTN: PCT BRANCH

Filed: June 22, 2001

FOR: HEAT SEAL POSITION MEASUREMENT DEVICE FOR PLASTIC FILM

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
Washington, D.C. 20231

October 16, 2001

Dear Sir:

In response to the Notification of Missing Requirements dated August 16, 2001, enclosed for filing is an executed Declaration and Power of Attorney for the above-identified patent application.

Please note that the surcharge fee of **\$65.00** for filing the late Declaration (Small Entity) was paid at the initial filing on June 22, 2001. The fees enclosed at initial filing on June 22, 2001 were **\$882.00** (**\$430.00** for basic filing fees, **\$252.00** for extra claims and **\$65.00** for filing the late Declaration). In the event that any additional fees are due with this paper, please charge Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI
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1.1) APPLICANT NO.	1.2) FIRST NAME APPLICANT	1.3) ATTY/REP/ORG
09/857207	R. V. TOTANI	010811
1.4) ADDRESS: WESTERMAN, HASTINGS & TOTANI, L.L.C.		1.5) M
1725 K STREET, NW, SUITE 1000		1.6) INVENTION/ARTICLE NO.
WASHINGTON, DC 20006		1.7) PCT/JP00/07437
1.8) COUNTRY: JAPAN		1.9) FILING DATE
1.10) MAILING ADDRESS: WESTERMAN, HASTINGS & TOTANI, L.L.C.		1.11) EXPIRY DATE
1.12) MELVILLE, NY 11747		1.13) DATE MAILED

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/SELECTED OFFICE (DO/DOUS)

FWD: OCTOBER 16, 2001

1. The following items, if not submitted by the applicant to the US to the United States Patent and Trademark Office as required by 37 CFR 1.49(e), an Electal Office (37 CFR 1.49(e))

(a) U.S. Base National Fee. Indication of Small Entity Status
(b) Copy of the international application. Translation of the international application into English
(c) Oath or Declaration of Inventor(s). Translation of the Article 19 amendments into English
(d) Copy of Article 19 amendments. Other
(e) Priority Document
(f) The International Preliminary Examination Report in English and its Annexes, if any.
(g) Translation of Annexes to the International Preliminary Examination Report into English.

2. (1) Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items within the indicated status in paragraph 3 below. The Base National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

(a) U.S. Base National Fee. Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

(a) Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
(b) The requested translation is defective for the reason indicated on the attached Notice of Defective Translation.
(c) Processing fee for providing the translation of the application and/or its Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
(d) Oath or Declaration of the Inventor(s), in compliance with 37 CFR 1.497(a) and (b), prepared by a brief filing the application (preferably by the International Application number and International filing date). A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
(e) The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/DOUS/917.
(f) Copy of the application, provided the translation is submitted later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of 5.0% of the ¹ large entity ² small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing present in 37 CFR 1.821-1.825. See attached PCT/DO/DOUS/920.

ALL OF THE ITEMS SET FORTH IN 1A-4C, 4, AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 30 MONTHS (whichever 37 CFR 1.49(e) applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(e).

6. If box 1a or 1c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the time period will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.

7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/DOUS/917 Notice of Defective Translation
 PTO-875 PCT/DO/DOUS/920
 PTO-875 Paulette Kidwell, Paralegal
 Telephone: 703-305-3656

FORM PCT/DO/DOUS/905 (March 2001)

102-11-10-437-77
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JW AF

Par. 705